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The Exordium

INDIANA UNIVERSITY SCHOOL OF LAW, BLOOMINGTON, INDIANA

FRIDAY, APRIL 24, 1981



place team at J. Braxton Craven, Constitutional Law Moot Court competition celebrates in Chapel Hill,

North Carolina. Left to right: Coach Dave Mirkin, Jack O'Loughlin, Joe Hogsett, and Dave Johnson.

Moot Court

IU wins Craven award

IU now has two national championship teams. One is the basketball team and the other is the National Constitutional Law Moot Court team.

On March 6 the team of Dave Johnson, Joe Hogsett and Jack O'Loughlin, coached by Dave Mirkin, beat Brigham Young to become the winners of the J. Braxton Craven Moot Court Competition. Jack O'Loughlin was named Best Oralist.

Thirty-three teams from all parts of the country participated in the initial rounds of the competition. All teams argued two preliminary rounds whose scores determined which eight teams would advance to the quarter-finals. The teams were scored on the basis of both their briefs and oral arguments. The brief counted for forty percent of the total score. The IU team started out well by having its brief scored second highest among those entered.

The IU team argued its first preliminary round against the University of Richmond and ironically, were told that they had lost. "The judges

came out and announced that we had lost," said Johnson. "Mirkin couldn't believe it so he double checked the scores and found that the judges hadn't added in the points for our briefs. We actually won." Johnson laughed and added, "The other team had already left to call home and tell everyone about their victory."

The team then won against New York Law School in their second round and advanced to the quarter-finals. There they beat the University of Maryland.

In the semi-finals, the team argued before Sam Ervin III, Rufus Edmiston, the Attorney General of North Carolina, and a Court of Appeals judge. Before those judges, Dave Johnson and Jack O'Loughlin met and beat N.Y.U., to advance to the finals against Brigham Young.

"Brigham Young had the best brief in the competition. They were seven points ahead of us on their brief," Johnson explained. "We won, though, because Jack smoked in his argument."

The judges in that round were Clement Haynesworth, John Gibbons, and James Hill.

women go to Boston

from the law school attended the National Conference on Women and the at Boston, Mass., Apr. 3-5. "We sent Texas for the last conference, but unfortunately they came back," Harry Pratter and the fund-raising auction for the trip. proceeds sent Ruth Acheson, Hope Kegeles, Priscilla Seaborg, Elaine and Nancy Weaver to represent the law

Patriarchal Plot?," "The Politics of Success: Economic Independence of What Cost?," "Politics of Sexuality," and "Woman as Criminal." Organized around the theme "Women and Justice: Blind No More," the conference specially focused on the oppression of poor women, women of color, and lesbian women.

One of the most valuable aspects of such a conference is the opportunity to get together and share insights with law students, attorneys, legal secretaries, paralegals, law professors, and community organizers from every part of the country. The conference committee might have taken greater advantage of the rich variety of the conferees themselves; coffee, doughnuts, and room to talk (the conference facilities were inadequate, and scattered about the city) can be as important to the success of a conference as thoughtful, well-presented workshops. With substantial funding from the Samuel Rubin, Muskiwinni Playboy, and Revson Foundations, the conference should have provided greater opportunity for "networking," or knotting the "new girl" ties.

Twenty-hour drives have their charms, but the 13th Annual Conference will be held in Detroit. Start packing.

ads ponder years past

by The collective "I" of a table at Nick's

Nick's, on the verge of graduation (please, oh please). Thinking back, a year orientation party Dean Plager (the Law School) talked to me. I first-year complaisance. He said law school is a matter of motivation. of nearly equal intelligence. Those to succeed, would. Oh, I carried Torts, Schornhorst, 9:30 a.m. Sit-me was a blue-knuckled guy whose shaking noticeably. While I was trying this law class was No Big Deal, he frantically, "what's he going to be going to do"? Passing a seating first day really terrified him. The seat was empty. I never saw his blue shirt. Smart boy — he got a full refund. two weeks I was numb. I cried every day. Fifty-pound books on my back, seemed unhealthy (orthopedically brief? What's a brief? And, oh, I moved south for the tropics — I 90 degrees and 90% humidity. We

dripped to school in our shorts and T-shirts, only to huddle miserably in 60 degree air conditioning.

Anxiously waiting for the first glimpse of our Con. Law professor — Teacher, Rabbi. In walks Socrates. (I'd always hoped Socrates was taller). "Today we will discuss 'what is Grue.'" Outside of the classroom he was even more terrifying: "You should study six hours for every hour you spend in class." And — "the only social life a first-year should have is a movie the first week of his second year." Birmingham. Enough said.

Schornhorst. I was in love. So tough. I was also scared out of my mind. The brave made up nicknames: Schorndog, Schornhorse, Schorndoggie, Horsepup, Tommie Torts (how original). He loved to do battle. Some tried to rise to the occasion. STUDENT: "But Mr. Schornhorst, intent follows the bullet." Silence. "That's horseshit, Mr. Gardner."

As the clock ticked 11:30 he began to speak. Baude. The Baude. Even he couldn't resurrect Civil Procedure. One hundred heads nodded in unison and the sound of snores moved in counter-

(Continued on page 2)

Law student seeks damages from bar review firm

By ELAINE BROWN

Wayne Greeson has filed suit against Josephson's Bar Review Course (CES-BRC) for two reasons: the excessive administrative delays and hassles incurred in his dealings with BRC; and his desire to inform other students planning to sign up for a review course of these hassles and help them avoid his predicament.

The thrust of his complaint, filed on March 30 in the Monroe County Small Claims Court, is a breach of contract; specifically, that BRC failed to provide the complete services of the learning program he contracted and paid for.

Two weeks after the review course had begun last December, Greeson had yet to receive any materials. After calling the company's Michigan office, he was told the materials had been mailed and he would receive them shortly.

He waited one more week and then called the California office to report that he still had not received his materials. In response to his requests for a partial refund and that the materials be sent via air courier, he was told to request a refund in writing and that the books and tapes would be mailed by air courier that day.

The next day he received only the books. Two days later he got the tapes and another set of books, both shipped parcel post.

In effect, he says, he had only half as much time to prepare for the bar using the BRC materials as he was entitled to.

"The biggest distress was trying to prepare

myself mentally. I had only enough time to listen to half the tapes. I got through all the reading, but I finished the last of the material only two days before the exam, so I had virtually no review time."

Greeson has yet to receive a reply to his letter requesting a partial refund.

His complaint asks for damages of \$680: \$340 for the total cost of the course, including a \$70 refundable deposit for the tapes, and \$340 in punitive damages. Since filing the claim, however, he has received the \$70 deposit back, which he intends to make known to the court.

Although he has not yet learned whether he passed the bar, he doesn't believe passing is a relevant factor. He says he didn't contract with BRC to pass the bar, but rather for a complete bar review course wherein time was of the essence. Even if he learns of passing by May 18, the date of his hearing, he doesn't intend to drop the suit.

He may, however, increase his claim for damages if he finds out before then that he did not pass.

According to Greeson, by the terms of the contract he signed, BRC guarantees a chance to take the course a second time for free. However, he says, that guarantee is based on the student's having returned a certain number of completed tests to them for grading during the time span of the course. With the limited time he had, he was unable to meet that requirement.

Law Journal Board chosen

The following are the newly appointed Board of Editors and staff of the 1981-82 Indiana Law Journal.

Editor-in-Chief, Bruce Kohn; Executive Editors, Mark Edwards, Ted Yasuda; Managing Editors, Sharon Groeger, Scott Kinsey, Lloyd T. Wilson Jr.; Articles Editors, Roger Bennett, Oc-

tavis White; Note Editors, Caroline Knezevich, Bill Lockhart, Susan Schneider Lewin, Daniel Serban; Staff, Peter G. Bakas, Paula Cardoza, Lisa Donk, Ellen Gabovitch, David Joel, Karen E. Little, Michael McCaffrey, Robert Millen, Mark Moore, David Paetzmann, John B. Powell, Victoria Rafols, Gayle L. Smith, Madonna Starr, Frank Sullivan Jr., Barbara Welch.

Reader opinion

Happiness is not a warm gun

By DAVID HUNTER

I don't wish to be too contentious when I say that no right-thinking American can oppose vigorous handgun control legislation. This year, handguns will kill 20,000 Americans. The reasons for serious restrictions upon handgun ownership far outweigh the reasons against such control. Consider the arguments of those opposed to handgun control.

The first and most interesting argument, from a legal perspective, is that the Second Amendment to the Constitution protects the right to keep and bear arms. This Amendment, of course, has always been subject to restrictions. Americans cannot generally own howitzers, bazookas, armed grenades, or machine guns. Most likely, the Second Amendment was a way to insure that a citizen's militia would be armed and ready to respond to potential threats of invasion.

A second argument asserts the right of self-

defense. As Neal Knox of the National Rifle Association states: "The right of self-defense is a fundamental one, and if I know how to use a gun and feel I need one for self-defense, whose business is it to say that I shouldn't own one?" I suspect that Knox wouldn't be offended if "bazooka" were inserted in place of "gun" in the quoted remark. Nevertheless, however fundamental this "right" may be, the government has regularly claimed interests in regulating the ways people go about defending themselves. Presently, most citizens cannot carry around handguns in public simply because they think they need them for self-defense. This restriction on the "Constitutional right" to keep and bear arms is justified in the interest of public safety. Most of us are not dismayed by this restriction; indeed, many of us feel a little safer. On balance, I see no reason to give more weight to Mr. Knox's feeling of security in owning a handgun, than to my feeling of security in knowing that neither

Mr. Knox, nor any other American may own one. I argue this particularly in light of abundant evidence that easy access to handguns significantly increases the likelihood of murders during family quarrels, and criminal activities like rape, theft, or burglary.

Of course, if you outlaw handguns, only outlaws will have handguns. And if you're not impressed with that, remember, guns don't kill people, people kill people. Yet people seem to murder people more often because there are handguns around. If handguns are outlawed, we have reason to believe that fewer people will be murdered in the U.S.A.

If we banish handguns from the U.S., unquestionably some honest citizens will be forced to give up the pleasures of owning their handguns. Ultimately, however, we must measure the benefits of easy access to a dangerous toy, against the burdens society must bear as a result of its availability. Many of us suspect that we must find less violent solutions to the difficulties we experience in our economic, and psychological lives. It is the thousands of innocent Americans who stop their lives with their lives — for the inability of some to live with the anxiety of facing the world with pistols in their hands.

Library sets new policy

The library has been aware for some time of the problem of non-law students studying in the library. As a result, the faculty has passed a resolution reserving the library for law students, faculty, and all others who need to use the law collection. The library has implemented procedures to enforce this resolution. Within the next few weeks the librarians will be asking those non-law students who are not using the collection to leave. Remember, this includes **ONLY**

those who are *not* using the collection. All others are welcome. Only the librarians are authorized to ask people to leave. Under no circumstances should a law student undertake the responsibility for asking a student why they are in the library or for asking them to leave the library. If there are any questions regarding this policy, please see the Public Services Librarian. This new policy will only work with your cooperation.

Thinking back continued

(Continued from page 1)

point under the direction of his waving hands. Those who stayed awake basked in his brilliance. The rest of us thanked God for Steven Emmanuel. The clock ticked 12:20. "I see that our time is up."

“He’s from Ya-a-a-ale.” Confusion. “What’s he doing here?” He called on people alphabetically. Heart pounding, sweating bullets. One day out of the blue, he nabbed me. Tick tick tick tick. The music from the Fiji house played on. Finally I had to admit I didn’t know. I DON’T KNOW, I DON’T KNOW, I DIDN’T KNOW. My whole row was shifting uncomfortably. Baker glared down. “If you had read footnote 12 on page 869, you might know the answer.” Dead air. Oh. He wanted me to read it right then. I sat there reading it to myself. Inner hysterical laughter — since when did they write Contracts in SANSKRIT! Disgusted, he moved on to the next victim. My classmates sighed in relief. (People really do care.)

And law school men. "Hey, baby, I'M a law student." I thought it was a joke until I saw them deal the undergrads nightly in the library. Oh swoon. Oh swine. The first two weeks the women law students felt like cattle at a livestock show. Scouted and discarded. Most of these first-year men were gloriously oblivious to the realities of dating women who would be professionals. "I never thought my wife would work," He had been dating a law student for three months.

First year. It shouldn't happen to a dog. Ah, law school. It has a peculiar rhythm all its own. For some, the experience has left them a pallid imitation of their former selves. But most are emerging better equipped to deal with the world they had been able to ignore even in col-

lege. (Sigh — college — remember? —
slept still with curled fingers and the
glow that had not been stolen.)

Some gained self-confidence. Some learned the meaning of inadequacy and learned to deal with it. Some learned the meaning of failure. All will leave law school with a more realistic idea of what "going to law school" really means. And more likely than not, they will be nearly what we came in thinking it meant.

Had we any idea it didn't mean a job was included? A job was included? No, there are a few who walk these halls, intellectual challenge the study of law. Bless their hearts. But for most, these glass cases at the beginning of each semester manifested their understanding that here to get a job. And that part of the life after law school depends on a grade after our names. Grade point. Grades. Despairing, feigning nonchalance. And bodies shoved up against the glass. Can hardly write about it.

Everybody pretending grades didn't matter but being unable to deny the ultimate reality as he sat quaking in front of a stranger with his resume. Yep, that's "going to law school." Did we know?

And now first-years say, "You have what do you have to worry about?" Why are you studying or why are you in class. I, too, used to think I wouldn't be. I surprised myself with the suggestion maybe I like this stuff. Yes, I think I do.

Alas, the beer has become more important than this pen and paper. We shall raise a law school — and for graduation there will be beer. Cheers.

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FRI, APRIL 24, 1981

Latinos' mistreatment explored at conference

By OCTOBER BUCHANAN

January 27-March 1 the Latino Law Student Conference hosted 200 out-of-state delegates, attorneys and persons from the IU community attended the La Raza Legal Alliance Conference here. The La Raza Legal Alliance is a national organization which is devoted to protecting the intellectual, economic and cultural interests of Latinos in the United States.

The first night there was a reception with entertainment by Dr. Ricardo Sanchez, an internationally known poet, and Jesus, a talented Chicago folk-singer. Their songs and songs dealt with the hopes and struggles of the Mexican-American people. The songs "Negrete" were inspiring — provoking cheers from the crowd which ranged from toe-tapping to expertly rendered "yees!"

On Saturday morning Baldermar Velazquez, president of the Farm Labor Organizing Committee (FLOC), presented an update of the plight of farmworkers in the Mid-West, most notably, the boycotts of Campbell's and Libby's by farmworkers in Ohio.

The opening address by Dr. Ricardo Sanchez was as moving and powerful as his poetry presentation the night before. His address skillfully blended poetry and prose, painting a picture of the racism, hatred, poverty and bloodshed which have "historically haunted ... hunted" ... and plagued the people of Hispanic descent in North America:

"We are still an oppressed ... national minority in the United States of North America, and we still have no rights ... we must prepare ourselves for whatever destiny has in store for us within this technocratic, paranoid and schizophrenic society with their rallying cries of limited thermonuclear wars, selective bio-chemical weaponry and racist onslaughts on the peoples of the sun ... It is time again to remind ourselves that those of us who come to these universities for degrees and knowledge must find the means to return to our wasted and desolate barrios to help our people rebuild ... for we shall walk this land ultimately with freedom, love and assuredness ... but only we can give meaning to our lives and only if we dare to act to free ourselves."

The morning presentations discussed the topics of education and immigration. Tony Baez, an independent Education Consultant at the Midwest Desegregation Assistance Center, University of Wisconsin-Milwaukee, presented legal issues and special problems involved in enforcing desegregation efforts and the need for bilingual/ bicultural education. Ms. Virginia Martinez, a Chicago attorney, presented the strategies and directions by the Mexican American Legal Defense and Education Fund. (MAL-DEF).

In the presentation on "Immigration, Jose Bracmonte, a Minority Student Advisor at the University of Michigan Law School, and Juan Soliz, a staff attorney with the Legal Assistance Foundation of Chicago, discussed the myths and realities of the undocumented worker along with an historical analysis of the socio-economic forces which control the plight of this exploited class.

The afternoon program included a film on El Salvador: "El Salvador, Revolucion o Muerte (Revolution or Death)." The film highlighted the historical and economic forces behind current events in El Salvador, and showed behind-the-scenes footage and interviews concerning the slaughter of union organizers, strikers — men, women and youths, by the National Guard, the military, and the para-military right-wing "death-squads."

The afternoon presentation brought the bloody violence of El Salvador home to the American Southwest. A leading Chicago attorney named Ruben Sandoval, discussing the "Administration of Justice," showed slides from among the many police brutality cases he has researched.

The first group of slides depicted Santo Rodriguez, 15 yrs. old, after he had been shot in

the head while handcuffed in the back of a police car in "Little Mexico" Dallas Texas in 1973. The final slides were of a Chicano youth with 92 contusions covering his body. The events leading up to his death happened in 1978. "The report said he beat himself to death. Suicide. He was in a padded cell," Sandoval explained.

After researching at least 50 of these cases in the past decade Sandoval is convinced that, "the law is not the answer. You'll have to be militant. There's nothing wrong with that. Were the participants in the Boston Tea Party communists? Probably not?"

In the "Labor" presentation Baldermar Velazquez elaborated on recent struggles in the Midwest. John Garcia, president of the Texas Farmworkers Support Committee examined the effect of "Right to Work" laws on the Chicano in Texas.

The conference closed on Sunday with a meeting of La Raza Legal Alliance delegates; Madison, Wisconsin was chosen as the sight for next year's conference.

Pat Baude, who participated in the discussion on the "Administration of Justice," summed up the response of everyone who attended the conference: "It was extremely well-run. It included a lot of interesting people whom I'm glad I met."

Thank you and farewell

I wish to thank the staff members and the student body for their interest, help, and support, and wish all of you the best in the years ahead.

David C. Joel

Convention sets goals for Balsa

By SHARON HOLLEY

"Freedom and Unity" was the theme of the 13th Annual Black American Law Students Association National Convention which was held in Houston, Texas from March 18-21, 1981. It was hosted by the Thurgood Marshall School of Law. Approximately 300 students representing 75 law schools participated in the conference. The primary focus of the conference was on recruitment and retention of black law students, employment trends affecting black lawyers and the policies of Balsa in the 1980's.

In the opening session A.J. Cooper, the founder of Balsa, discussed the issues which were the focus of the 1st annual convention in 1968 were the issues being addressed at this conference. He said, "the increase in enrollment of black lawyers comprise 30% of the BAR and their representation to the population is 1 to 10." Mr. Cooper charged the membership to develop and implement plans to assure con-

tinued enrollment and retention of black law students.

On the issue of employment Professor Elwynn Lee of Bates College of Law, University of Houston, noted that there are trends affecting the employment of lawyers generally that threaten the survival of the black lawyers. Professor Lee cited the increasing competition from non-lawyers such as paralegals and collection agencies, the rise of alternatives to litigation such as no-fault divorce, the increase of pre-paid legal and small firm advertising across state lines as factors that decrease the availability of legal work and specifically impact blacks who lack access to these opportunities. He encouraged black lawyers to pursue specialty law and to develop their own legal programs.

Resolutions passed at this convention expressed Balsa concern for the Atlanta crisis, renewed the membership support for the continued development of the W.E.B. Du Bois

Legal Exchange Program with the University of Zimbabwe, endorsed the decision of the American Bar Associations to give Balsa an ex officio voting seat on the Board of Governors of the Law Student Division and implemented an investigation of alternative financial aid resources.

Following the four days of resolutions and workshops in labor law, energy law, corporate and commercial law, entertainment and sports law, family law and Title VI & VII litigation the keynote speaker Representative Harold Ford of Tennessee addressed the assembly. He emphasized the need for black lawyers to remember the needs of their communities and to realize that present events dictate a renewal effort to ensure that all blacks attain economic stability.

Next year's convention will be held in Philadelphia, Pennsylvania in early March and will be hosted by Temple University.

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Dean Baker takes leave to teach

By Cheryl Gaither

Dean John Baker will be a visiting professor at New York University School of Law for the academic year 1981-82. I talked to Dean Baker about his decision to take a leave of absence and his feelings about teaching.

Dean Baker came to Indiana University in 1978 from Yale University School of Law. His first year here he taught contracts and has also taught welfare law and Seminars. Due to his decision to become Assistant Dean two years ago, he has not been able to devote as much time to teaching and writing as

he would like. "I came into teaching to teach and to write and that's what I find I like to do. The deanship I suppose has convinced me that's what I want."

Asked what courses he most enjoys teaching, Dean Baker expressed an enjoyment in teaching Seminars: "I think I enjoy the courses that attempt to integrate doctrine, rules, and policy. Where is the law going and where should it be moving. In a seminar one can play this out." However, he also enjoys teaching first year courses like contracts because of the "enthusiasm" and "recepti-

ty" that first year students tend to have. "A lot of what goes on in the first year influences how these students will react to the rest of their law school experience and indeed their practice of law, so you can be terribly influential, and it is a real challenge."

At New York University, Dean Baker will have the opportunity to put all of his energy into teaching, particularly in the area of non-traditional corporations. Given that so much of the data and corporations themselves are headquartered in New York City, he believes this will be an excellent opportunity to get back to the East coast for the year and combine his teaching with some research.

According to Dean Baker, the non-traditional corporation (corporations whose objectives are broader than making profits) needs to be explained. Business corporations have been studied from theoretical and empirical perspectives. But we do not know enough about non-profit corporations. He would like to conduct empirical studies to find out more about these entities. How do they operate? How do foundations give away money? Who makes

these decisions? Dean Baker believes these issues are important in terms of legal theory. He questions whether we should apply the same legal theories to non-profit corporations that are applied to business and charitable corporations. Hopefully these will be areas he can devote much of his time to at New York University.

Baker views his experience at Indiana University over the past three years as a positive one. "I think the school has made a lot of progress in the

three years I've been here. I think faculty and students are the strongest thing this school has going for it." However, Dean Baker believes that there are still some definite problems here.

One of the major problems he sees is the library. This is largely due to the difficulty in getting people in the larger university and legislative context to understand the importance of the lawyers library. "If the doctor walks in and doesn't have enough corpses everybody

understands he cannot be a first year medical student without corpses. Not everybody understands the library is the laboratory," Baker said.

The need for more men and women faculty members is also an issue that must be addressed. He recognizes there has been progress in this area. This is an important objective if the law school purports to be a national school. Diversity is an element of a national school.

Rule keeps one IU team from national championship

January 26-29 the National Moot Court team of Ed Gereck, Skip Whaley and John Schaibley went to the Big Apple to compete in the national finals of the moot court competition.

Twenty-nine teams who had advanced from the regional competitions participated. After winning both of its preliminary rounds (against William & Mary, and New York Law School) the IU team went on to the octa-finals to "destroy" (quoting Skip Whaley) the University of New Mexico.

The team next met and beat Georgia in the quarter-finals and advanced to argue against Montana in the semi-final round. There they suffered defeat and Montana went on to win the competition by beating Northwestern in the finals. (Northwestern was the other IU team to qualify for the nationals.) IU's other moot court team (Steve Zoller, Stanley, and David Mirkin) beat Northwestern in the regionals but because of a competition prohibiting a school from qualifying twice for the finals, Northwestern went to the finals instead of IU's team.

Résumé?

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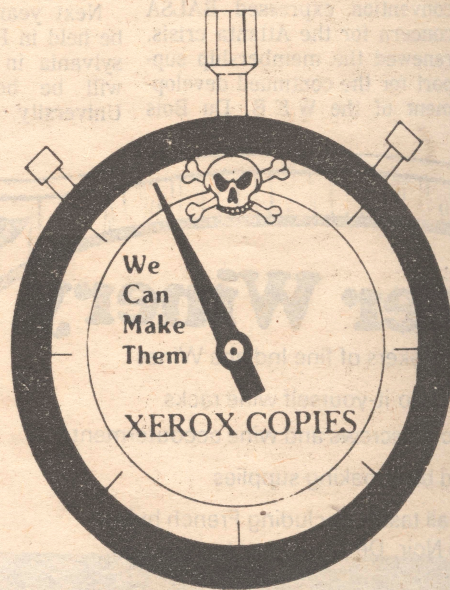
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ker speaks on public interest law outlook

THE BUCHANAN
18, Dean John
pressed a gathering of
professors and at-
tending public interest
prospects for the
wake of the
administration.
He defined a public
interest law firm as a non-
profit organization
operates on a not-for-
profit basis and represents
a particular in-
terest. As examples of
public interest law firms, he
mentioned the
Mexican-American Legal
Defense Fund, the Children's
Defense Fund, and the NAACP
Legal Defense and Education
Fund. The latter organization is
the one with which he is the
most familiar, having sat on it's
Board of Directors for several
years.
The Dean noted that tradi-
tionally powerless groups first
saw the possibility of getting
better results out of the courts
than the legislatures with the
Brown v. Board of Education
decisions in the 1950's, and that
their expectations grew with
the holdings of the Warren
Court in the 1960's. People who
could not otherwise articulate
their complaints into causes of
action found new hope in public
interest lawyers. The effect of
these changes was the develop-
ment of strong public interest
law firms which demand a
redistribution of resources.
Rather than being based on
merit, available resources have
been allocated on a
discriminatory basis. A
redistribution is brought about
incrementally by going into the
courts and asking the judge to
issue a suitable remedy.
Dean Baker outlined the two
major economic objectives of
the Reagan administration as
being the reduction of govern-
ment spending (through the
elimination of Legal Services, a
cutback on EEOC, a cutback on
the Justice Dept, elimination of
Food Stamps, and a cutback on
Aid for Dependent Children)
and a reduction of taxation. He
noted that a reduction on taxes
is of much greater benefit to the
upper classes.
He then explained that the ef-
fect of these objectives on
public interest law firms will be
to remove the support
mechanisms that have been
available on the governmental
side.
For example, legal defense
funds will no longer be able to
transfer their large expensive
cases to the Justice Department
or the EEOC. In addition, the
needs of the poor will increase,
and the Dean is somewhat
doubtful as to whether public in-
terest law firms will be able to
take on the additional burden.
"For the first time in the
history of this country, there is
a significant body of people for
whom the society has no need,
who have nothing to offer... on
society's terms."
Combined with declining
resources and increasing needs
are the attitude shifts, which
are evidenced by the sharp
decline in the number of social-
ly conscious law students. Thus,
it seems that we are faced with
a situation which will require a
great deal of energy and
creativity, before any solutions
can be reached.

curities law team takes second


By STEVE ZELLER
School recently sent a team of students to the Irving R.
Securities Law Moot Court Competition, held in New
York on March 25 and 26. The team — composed of Tom
Mark Wojciechowski, and Steve Zeller — placed second
in the competition, losing to William and Mary in the final round.
Three teams attended the competition which honors Irv-
ing R. Kaufman, Chief Justice on the Second Circuit Court of Ap-
peals. Advancing to the final round, the IU team defeated teams
from Marshall Law School, Loyola Law School, New York
Law School, and Fordham Law School (host of the
competition).
Defeating it's first two opponents to qualify for the quarter-
finals, IU had the highest composite oral and brief score.
In the final round, Wojciechowski and Zeller were unable to overcome the lead which William and Mary
had, however.
IU's showing in the competition concludes a very successful
year for the Moot Court program — perhaps the school's best
overall performance in the history of the Moot Court Board. In ad-
dition to the fine performance of the National teams during the
National Competition, the School also won the J. Braxton Craven
Constitutional Law Competition in early March, with Joe Hogsett,
David Johnson, and Jack O'Loughlin representing the School. IU's
teams also performed well in the client counseling competition
and the ABA competition — the latter team, Scott Troeger and
Chris McGuigan, barely missing a slot in the semi-finals.
A banquet honoring the Moot Court participants, as well as those
who participated in the National Mock Trial competition, was to
be held on April 14. Also to have been honored at the banquet was
Mr. Carl Gray, a renown Indiana trial attorney whose generous
contributions have funded a large part of the Moot Court activities
this year.

Graduation scheduled

Graduation ceremonies will
be held Saturday, May 9.
The keynote speaker is F. Reed
Dickerson.
There will be a reception
following the Recognition
Ceremony from 4:00 p.m. to
6:00 p.m. at Oscar's. Tickets for
the reception are \$7.00 for
adults over 19 and \$3.50 for per-
sons 7-19. Those 6 and under
may come free.
SBA will have a table in the
lobby at which reception tickets
may be purchased and gradua-
tion announcements will be
available.
University Commencement
will take place at 10:00 a.m. in
Assembly Hall. If you plan to
participate in Commencement
you must be at the fieldhouse no
later than 9:30 to line up.
The Law School Recognition
Ceremony will be held at 2:00
p.m. in the IU Auditorium. The
student speaker at this
ceremony will be Greg Knapp.

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up

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Cult brainwashing issue discussed at ISLR

Interfaith Society for Law and Religious Freedom held a forum on "Cults, Brainwashing, and Deprogramming" on March 12 in Woodburn 100. Panelists included two IU — Bloomington law school graduates, Paul Teschner (1953) and Paul Watt (1977). Also included were Dr. Edwin Becker, Professor of Sociology of Religion at Christian Theological Seminary in Indianapolis, and Frank Growe, Regional Director of C.A.R.P., an affiliate of the Unification Church.

Dr. Becker spoke of the definition of "cult", the history

of cultic religious movements in the recent past, and some possible reasons for their growth in the present.

Mr. Teschner spoke of the dangers of brainwashing and exploitation of late adolescents and young adults. His own son was for some time a member of Unification Church and Mr. Teschner represents parents in civil suits brought by children whose deprogrammings have failed.

On the opposite side, from Mr. Teschner, Paul Watt spoke of the abuses and denial of legal

process in the case of an adult member of Rudrananda Ashram in Cincinnati who was abducted and moved around the country one step ahead of Mr. Watt and others from the ICLU and ACLU. Mr. Watt emphasized the availability of proper guardianships in those instances when a person's will has been overborn by improper religious indoctrination, and agreed that such brainwashing is possible.

Frank Growe spoke of his own

experiences in the Unification Church. He rebutted some common charges made against Unification, but admitted that some abuses have occurred at one rural California Unification Church center. The Unification Church is undertaking to correct these abuses, Growe assured the audience.

The most controversial matter raised was legislation proposed for Illinois by Mr. Teschner which would create a

civil action so that for members of religious groups could bring suit if the group done certain specified acts during the course of recruitment or indoctrination. Calling some techniques "battery of mind", Mr. Teschner urged that some remedy is needed. He emphasized the similarity of the enumerated acts to techniques of brainwashing. Mr. Watt retorted that that enumeration of the Marine Corps was a

Teitelbaum's exit saddens students

By LEZLIE SIMMONS

With regret we say goodbye to Professor Lee Teitelbaum, who will be returning to the University of New Mexico at the end of the summer. The Law School has been privileged to have had Professor Teitelbaum on the faculty this past year. In addition to teaching a variety of courses, he has directed the Center for the Study of Legal Policy Relating to Children, worked on several continuing grant projects and written articles soon to be published. Despite these professional commitments, Professor Teitelbaum has always had time for students, and has encouraged discussions with him outside of class. He has sponsored several student independent studies, and has met weekly with an ad hoc group of students desiring to practice legal argumentation.

In the classroom, Professor Teitelbaum is a demanding but gifted teacher, who encourages student discussion and works to see that every student attains a grasp of methodology, and an understanding of the material. He does not avoid or discourage un-

popular or innovative ideas, a logical and persuasive way of these pedagogical methods. Teitelbaum's sense of humor is a professional asset.

In the short time he has been here, he has immersed himself fully in the IU Law School. He has praised the future. He has praised the law, leaving; but unfortunately, his personal opportunities for him waiting for her in New Mexico.

We will miss you, Mr. Teitelbaum, for being here; keep in touch. For those who have not yet met him, his work is not completely lost. He will be in Europe, but will return to finish his work here.



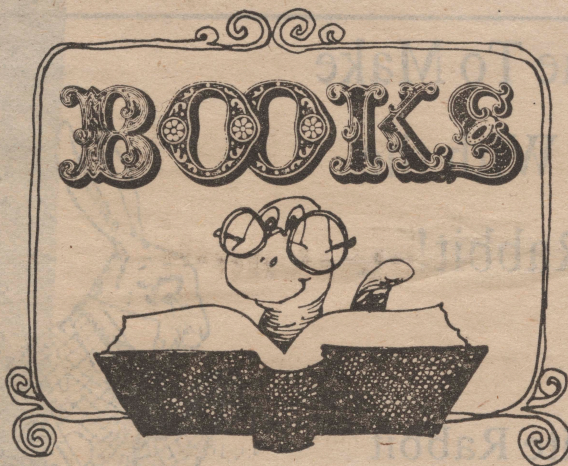
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Professor Harry Pratter's wit helps raise money at Women's Caucus auction.

Prof. quotes

Pratter's patter proffers pies

From Professor Pratter
"The editors of your casebook have the temerity to ask, 'In what sense was Chief Justice Rugg using these phrases?' Well, I haven't the vaguest idea, and I have no interest in attempting to find out."

"It's wrong to end a sentence with one preposition, but what about two? There is no rule against ending a sentence with two prepositions."

"... Williston, who I like to

think coached the Harvard crew..."

"If the buyer and seller are circling a cow and in turn the cow is circling them, (a very profound philosophical situation)..."

"If Picasso painted a tomato then he would have created a Picasso tomato. He would have then destroyed the plantonic essence."

"You (as a law student) can

go to a party and say 'Look at the people at this party, they are fungible.' Of course you might add 'Present company excepted.'"

"Grapes are eaten one by one, especially if you peel them!"

"Where do you suppose they (the Japanese) get their soybeans... from Indiana. Stop sending them soybeans, that'll teach them to stop flooding our markets with their cars."

"... the buyer of those soybeans, (I think they (the

Japanese) make rice out of them)..."

"Some facts can be officially noticed — Chicago is east of New York!"

Ron Walcukausk
3/16/81

On not being prepared in class:

"Confession is good for the soul — but not for anything else." Dworkin, 16 March '81

"How did the court cut this Gordian knot — or did they just sit there and play with the strings all day?"

Carrico, 17 March '81

ook speaks on prisoner's rights

By TOBIE BUCHANAN

Joe Cook, the supervising attorney for the Inmate Legal Clinic (ILAC) addressed a large gathering in the Moot Courtroom on March 11. Her talk focused on inmates at state and federal institutions who are charged with infractions involving institutional rules and regulations, and who are subjected to various punishments, such as having their good-time credits taken away, having periods of incarceration, or being placed in solitary confinement or disciplinary segregation. Due to the lack of due process for 'meetings' of the disciplinary committee, prisoners risk losing their liberty without due process.

If the situation still persists, a Supreme Court decision in *McDonald v. Wolf* has caused such hearings to achieve minimal due process. Wolf has provided for "minimal due process" such as the right to call witnesses in their behalf, the right

to reasonable notice of the accusations against them, and the right to receive a statement at the end, summarizing the evidence against them. (The right to have an attorney present was not included). The Court's rationale involved the determination that prisoners' rights are diminished by their incarceration, and that the liberty interest which is at stake is not as great.

The rights which were granted are not as important as they may seem, since the right to call witnesses can be denied at the discretion of prison officials, for security, or other reasons.

The right to receive a statement is diluted by the fact that any information provided by a confidential informant can not be disclosed, due to Security considerations. The right to a hearing before an impartial tribunal loses importance when one realizes that the tribunal (sometimes including the "adequate counsel substitute") is composed of the staff of the institution.

RESUMES

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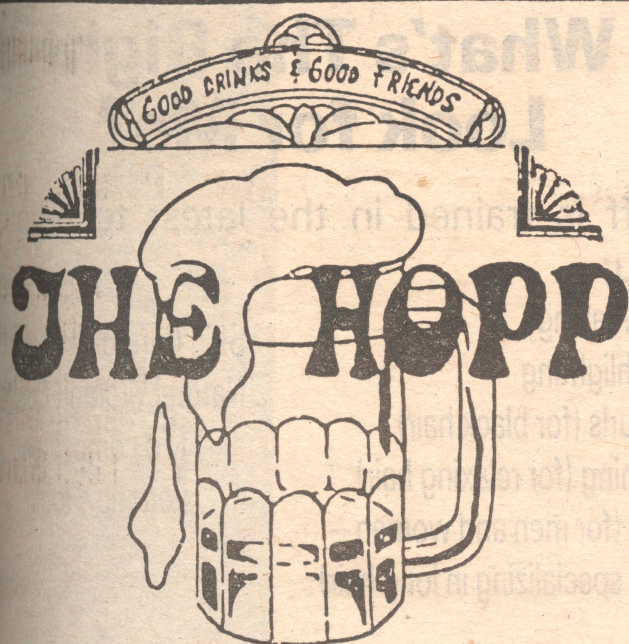
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Indiana, Purdue alums battle it out at court

Indiana and Purdue went to the basketball court to settle their differences Wednesday, April 8 at the Bloomington Boys Club and Indiana came out the winner by a 78-73 count.

A crowd of about 50 watched the 2nd Annual Indiana-Purdue Alumni Classic, when Indiana avenged last year's tough loss to the Boilers. Tony Prather, 1st year student, came off the

bench to lead Indiana's scorers with 26 points. Prather was named the games' most valuable player by coaches Joe Hogsett of Indiana and Bill Anaya of Purdue.

The game, the brainchild of Hogsett and Anaya, is designed to determine the bragging rights within the Law School. In order to play, the person must be presently enrolled in the

School of Law and have an undergraduate degree from Indiana or Purdue. In last year's initial encounter, Purdue came from behind to win 72-71.

Purdue, which was led by

Spiro Bereveskos with 32 points, jumped to an early 10 point lead on the strength of its size and aggressive board play.

But strong pressure defense from the Hoosiers allowed them

to close the gap to 37-36 at halftime. At the break, Hogsett made the coaching move that proved to be the key to the game. In spite of foul trouble in the Hoosier front line, Hogsett started five big men in the second half.

"They beat us heavily on the boards in the 1st half and we went with the taller squad in an effort to compete on the boards," Hogsett said.

With the taller lineup, and with Bereveskos' fourth foul coming at the 14 minute mark of the second half, the Hoosiers held their own on the boards.

With Bereveskos, "the aircraft carrier" in Hogsett's words, in foul trouble, the

Hoosiers were able to close the gap to 37-36 at halftime. At the break, Hogsett made the coaching move that proved to be the key to the game. In spite of foul trouble in the Hoosier front line, Hogsett started five big men in the second half.

The Boilers came out strong, "and a number of errors," Anaya. The one, he said, was in the time, and that's

Important, you see the whole point of which both Anaya hope will continue tradition even though in its second year hoping that the tradition will continue it."

Moot Court Board chosen

The Moot Court Board is proud to announce the members of the 1981-1982 National Moot Court Teams:

Nora Casey, Bob Millen, Jeff Teske, Kathy Knue, DeLois Leapheart, Jim Morse.

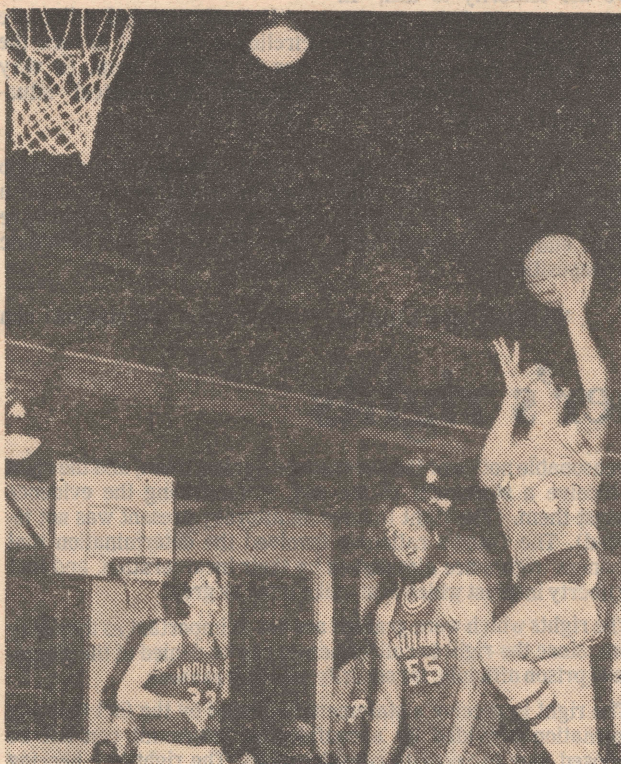
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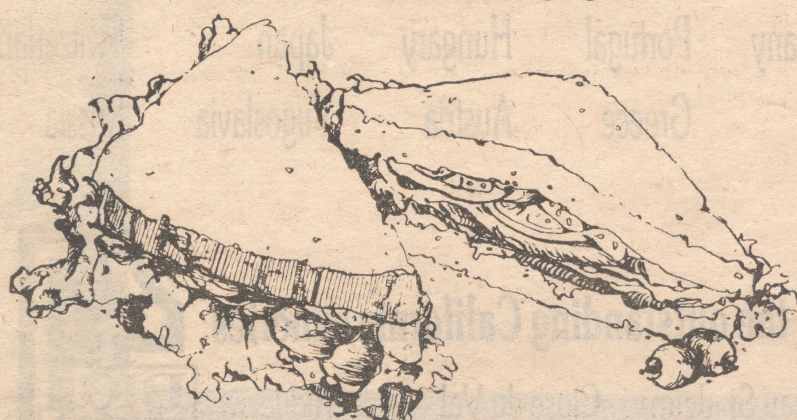
Indiana's brilliant defensive work helps beat Purdue at Second Annual Law School Basketball Tourney.

JOE MYERS PHOTOGRAPHER

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